



Reprinted  
February 3, 2004

## SENATE BILL No. 262

DIGEST OF SB 262 (Updated February 2, 2004 4:04 pm - DI 71)

**Citations Affected:** IC 20-12; IC 23-13; noncode.

**Synopsis:** Tuition and fees for state educational institutions. Provides that a state educational institution may increase the tuition and mandatory fees for a full-time undergraduate student who is an Indiana resident by not more than a percentage equal to the higher education cost of living index (established by the commission for higher education) or 4%, which is greater, each year for four academic years (for four-year schools) or two academic years (for Ivy Tech and Vincennes) following the academic year in which the student officially accepts an offer of admission from the institution. Requires a state educational institution to set tuition and mandatory fees for the following academic year and notify the budget committee of the rates set before December 1 of each year. Allows a state educational institution to reset tuition and mandatory fees after the state biennial budget is adopted; however, provides that a student who has already official accepted an offer of admission to the institution must be charged the tuition and fees in effect at the time of the acceptance, unless the reset tuition and fees are lower than those in effect at the time of the acceptance.

**Effective:** July 1, 2004.

**Kenley, Skinner, Jackman, Miller,  
Drozda**

January 8, 2004, read first time and referred to Committee on Education and Career Development.  
January 15, 2004, amended, reported favorably — Do Pass.  
February 2, 2004, read second time, amended, ordered engrossed.

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February 3, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## SENATE BILL No. 262

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 20-12-0.5-8, AS AMENDED BY P.L.24-2003,  
2       SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2004]: Sec. 8. The commission shall have the following  
4       powers and duties:

5           (1) To develop, continually keep current, and implement a long  
6           range plan for postsecondary education. In developing this plan,  
7           the commission shall take into account the plans and interests of  
8           the state private institutions, anticipated enrollments in state  
9           postsecondary institutions, financial needs of students and other  
10          factors pertinent to the quality of educational opportunity  
11          available to the citizens of Indiana. The plan shall define the  
12          educational missions and the projected enrollments of the various  
13          state educational institutions.

14          (2) To consult with and make recommendations to the  
15          commission on vocational and technical education within the  
16          department of workforce development on all postsecondary  
17          vocational education programs. The commission shall biennially

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1 prepare a plan for implementing postsecondary vocational  
 2 education programming after considering the long range state  
 3 plan developed under IC 20-1-18.3-10. The commission shall  
 4 submit this plan to the commission on vocational and technical  
 5 education within the department of workforce development for its  
 6 review and recommendations, and shall specifically report on how  
 7 the plan addresses preparation for employment.

8 (3) To make recommendations to the general assembly and the  
 9 governor concerning the long range plan, and prepare to submit  
 10 drafts and proposed legislation needed to implement the plan. The  
 11 commission may also make recommendations to the general  
 12 assembly concerning the plan for postsecondary vocational  
 13 education under subdivision (2).

14 (4) To review the legislative request budgets of all state  
 15 educational institutions preceding each session of the general  
 16 assembly and to make recommendations concerning  
 17 appropriations and bonding authorizations to state educational  
 18 institutions including public funds for financial aid to students by  
 19 any state agency. The commission may review all programs of any  
 20 state educational institution, regardless of the source of funding,  
 21 and may make recommendations to the governing board of the  
 22 institution, the governor, and the general assembly concerning the  
 23 funding and the disposition of the programs. In making this  
 24 review, the commission may request and shall receive, in such  
 25 form as may reasonably be required, from all state educational  
 26 institutions, complete information concerning all receipts and all  
 27 expenditures.

28 (5) To submit to the commission on vocational and technical  
 29 education within the department of workforce development for its  
 30 review under IC 20-1-18.3-15 the legislative budget requests  
 31 prepared by state educational institutions for state and federal  
 32 funds for vocational education. These budget requests shall be  
 33 prepared upon request of the budget director, shall cover the  
 34 period determined by the budget director, and shall be made  
 35 available to the commission within the department of workforce  
 36 development before review by the budget committee.

37 (6) To make, or cause to be made, studies of the needs for various  
 38 types of postsecondary education and to make recommendations  
 39 to the general assembly and the governor concerning the  
 40 organization of these programs. The commission shall make or  
 41 cause to be made studies of the needs for various types of  
 42 postsecondary vocational education and shall submit to the

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commission on vocational and technical education within the department of workforce development its findings in this regard.

(7) To approve or disapprove the establishment of any new branches, regional or other campuses, or extension centers or of any new college or school, or the offering on any campus of any additional associate, baccalaureate, or graduate degree, or of any additional program of two (2) semesters, or their equivalent in duration, leading to a certificate or other indication of accomplishment. After March 29, 1971, no state educational institution shall establish any new branch, regional campus, or extension center or any new or additional academic college, or school, or offer any new degree or certificate as defined in this subdivision without the approval of the commission or without specific authorization by the general assembly. Any state educational institution may enter into contractual agreements with governmental units or with business and industry for specific programs to be wholly supported by the governmental unit or business and industry without the approval of the commission.

(8) If so designated by the governor or the general assembly, to serve as the agency for the purposes of receiving or administering funds available for postsecondary education programs, projects, and facilities for any of the acts of the United States Congress where the acts of Congress require the state to designate such an agency or commission. However, this subdivision does not provide for the designation of the commission by the governor as the recipient of funds which may be provided by acts of the United States Congress, received by an agency, a board, or a commission designated by the general assembly.

(9) To designate and employ an executive officer and necessary employees, to designate their titles, and to fix the compensation in terms of the employment.

(10) To appoint appropriate advisory committees composed of representatives of state educational institutions, representatives of private colleges and universities, students, faculty, and other qualified persons.

(11) To employ all powers properly incident to or connected with any of the foregoing purposes, powers, or duties, including the power to adopt rules.

(12) To develop a definition for and report biennially to the:

(A) general assembly;

(B) governor; and

(C) commission on vocational and technical education within

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the department of workforce development;  
on attrition and persistence rates by students enrolled in state  
vocational education.

(13) To submit a report to the legislative council not later than  
August 30 of each year on the status of the transfer of courses and  
programs between state educational institutions. The report must  
include any changes made during the immediately preceding  
academic year.

(14) To direct the activities of the committee, including the  
activities set forth in subdivisions (15) and (16).

(15) To develop through the committee statewide transfer of  
credit agreements for courses that are most frequently taken by  
undergraduates.

(16) To develop through the committee statewide agreements  
under which associate of arts and associate of science programs  
articulate fully with related baccalaureate degree programs.

(17) To publicize by all appropriate means, including an Internet  
web site, a master list of course transfer of credit agreements and  
program articulation agreements.

**(18) For purposes of assisting state educational institutions in  
setting tuition rates and mandatory fees only, to perform the  
following functions:**

**(A) Annually determine the higher education cost of living  
index, using information developed by the Bureau of Labor  
Statistics of the United States Department of Labor.**

**(B) Determine when a student is considered to be a  
full-time student.**

**(C) Determine which fees are mandatory fees; however,  
mandatory fees may not include fees that:**

**(i) are recommended and supported by students for the  
funding of student activities and services; or**

**(ii) provide additional student benefits.**

SECTION 2. IC 20-12-23-2, AS AMENDED BY P.L.115-2002,  
SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
JULY 1, 2004]: Sec. 2. (a) The board of trustees of the state university  
shall be nine (9) in number.

(b) This subsection does not apply to the student trustee appointed  
under IC 20-12-24-3.5. Not more than:

(1) one (1) of the trustees elected under IC 20-12-24-2; and

(2) two (2) of the trustees appointed under IC 20-12-24-3;  
may reside in the same county.

(c) The trustees and their successors shall be a body politic, with the

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style of "The Trustees of Indiana University"; in that name to sue and be sued; to elect one (1) of their number president; to elect a treasurer, secretary, and such other officers as they may deem necessary, to prescribe the duties and fix the compensation of such officers; to possess all the real and personal property of such university for its benefit; to take and hold, in their corporate name any real or personal property for the benefit of such institution; to expend the income of the university for its benefit; to declare vacant the seat of any trustee who shall absent himself from two (2) successive meetings of the board, or be guilty of any gross immorality or breach of the bylaws of the institution; to elect a president, such professors and other officers for such university as shall be necessary, and prescribe their duties and salaries; to employ other persons as necessary; to establish programs of fringe benefits and retirement benefits for the university's officers, faculty, and other employees that may be supplemental to or in lieu of state retirement programs established by statute for public employees; to prescribe the course of study and discipline and, **subject to section 2.5 of this chapter, the price of tuition and fees** in such university; and to make all bylaws necessary to carry into effect the powers hereby conferred.

SECTION 3. IC 20-12-23-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: **Sec. 2.5. (a) Beginning with the 2005-2006 academic year, in setting tuition rates and mandatory fees under section 2 of this chapter, the board of trustees must provide that the tuition and mandatory fees charged a full-time undergraduate student who is a resident of Indiana may be increased by not more than:**

**(1) a percentage equal to the higher education cost of living index; or**

**(2) four percent (4%);**

**whichever is greater, each year for the four (4) consecutive academic years following the academic year in which the student officially accepts the university's offer of admission.**

**(b) The board of trustees shall:**

**(1) set the tuition rates and mandatory fees for the university; and**

**(2) notify the budget committee of the tuition rates and mandatory fees;**

**for the following academic year before December 1 of each year.**

**(c) The general assembly recommends that the board of trustees conduct at least one (1) public hearing before setting the tuition**

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1 rates and mandatory fees for the university each year. If a public  
 2 hearing is conducted, at least two (2) members of the board of  
 3 trustees must be present at the hearing.

4 (d) Notwithstanding subsection (b), not later than sixty (60) days  
 5 after the enactment of the biennial budget bill for state educational  
 6 institutions, the board of trustees may reset tuition rates and  
 7 mandatory fees for incoming freshman students. However, an  
 8 individual who has been offered admission to the university and  
 9 has officially notified the university of the individual's acceptance  
 10 of the offer of admission before the board of trustees resets tuition  
 11 rates and mandatory fees under this subsection shall be charged:

12 (1) the tuition rates and mandatory fees in effect at the time  
 13 of the individual's acceptance of the university's offer, if the  
 14 reset tuition rate and mandatory fees are higher than those in  
 15 effect at the time of the individual's acceptance; or

16 (2) the reset tuition rate and mandatory fees, if the reset  
 17 tuition rates and mandatory fees are lower than those in effect  
 18 at the time of the individual's acceptance.

19 SECTION 4. IC 20-12-36-4 IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 4. From and after the  
 21 date of the location made as aforesaid, the corporate name of the  
 22 trustees of the Indiana Agricultural College shall be "The Trustees of  
 23 Purdue University"; and they shall take in charge, have, hold, possess  
 24 and manage, all and singular, the property and money comprehended  
 25 in said donations, as also the fund derived from the sale of the land  
 26 scrip donated under said act of Congress, and the increase thereof, and  
 27 all money or other property which may hereafter at any time be donated  
 28 to and for the use of said institution. They shall also have power to  
 29 organize said university in conformity with the purposes set forth in  
 30 said act of Congress, holding their meetings at such times and places  
 31 as they may agree on, a majority of their number constituting a quorum.  
 32 They shall provide a seal; have power to elect all professors and  
 33 teachers, removable at their pleasure; fix and regulate compensations,  
 34 including programs of fringe benefits and retirement benefits that may  
 35 be supplemental to or in lieu of state retirement programs established  
 36 by statute for public employees; do all acts necessary and expedient to  
 37 put and keep said university in operation; ~~and~~ make all bylaws, rules,  
 38 and regulations required or proper to conduct and manage the same;  
 39 **and, subject to section 4.5 of this chapter, set tuition and fees for**  
 40 **students of the university.**

41 SECTION 5. IC 20-12-36-4.5 IS ADDED TO THE INDIANA  
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2004]: Sec. 4.5. (a) Beginning with the 2005-2006 academic year, in setting tuition rates and mandatory fees under section 4 of this chapter, the board of trustees must provide that the tuition and mandatory fees charged a full-time undergraduate student who is a resident of Indiana may be increased by not more than:

(1) a percentage equal to the higher education cost of living index; or

(2) four percent (4%);

whichever is greater, each year for the four (4) consecutive academic years following the academic year in which the student officially accepts the university's offer of admission.

(b) The board of trustees shall:

(1) set the tuition rates and mandatory fees for the university; and

(2) notify the budget committee of the tuition rates and mandatory fees;

for the following academic year before December 1 of each year.

(c) The general assembly recommends that the board of trustees conduct at least one (1) public hearing before setting the tuition rates and mandatory fees for the university each year. If a public hearing is conducted, at least two (2) members of the board of trustees must be present at the hearing.

(d) Notwithstanding subsection (b), not later than sixty (60) days after the enactment of the biennial budget bill for state educational institutions, the board of trustees may reset tuition rates and mandatory fees for incoming freshman students. However, an individual who has been offered admission to the university and has officially notified the university of the individual's acceptance of the offer of admission before the board of trustees resets tuition rates and mandatory fees under this subsection shall be charged:

(1) the tuition rates and mandatory fees in effect at the time of the individual's acceptance of the university's offer, if the reset tuition rate and mandatory fees are higher than those in effect at the time of the individual's acceptance; or

(2) the reset tuition rate and mandatory fees, if the reset tuition rates and mandatory fees are lower than those in effect at the time of the individual's acceptance.

SECTION 6. IC 20-12-56-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 5. (a) All powers, rights, privileges, duties, and obligations, statutory, contractual, or of whatever kind, conferred by law upon the State Teachers College board

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or Indiana State College board for the operation, maintenance, and financing of Indiana State University and its properties and facilities, or otherwise pertaining thereto, are hereby transferred and shall apply to the Indiana State University board of trustees created by this chapter and shall remain in full force and unchanged, notwithstanding the change of name of said college.

(b) All laws of a general nature referring to Indiana State Normal School, the board of trustees of Indiana State Normal School, Indiana State Teachers College, the State Teachers College Board, Indiana State College, the Indiana State College board, and to any public state normal school of the state apply to Indiana State University and the Indiana State University board of trustees with equal force and effect.

**(c) Beginning with the 2005-2006 academic year, in setting tuition rates and mandatory fees, the board of trustees must provide that the tuition and mandatory fees charged a full-time undergraduate student who is a resident of Indiana may be increased by not more than:**

**(1) a percentage equal to the higher education cost of living index; or**

**(2) four percent (4%);**

**whichever is greater, each year for the four (4) consecutive academic years following the academic year in which the student officially accepts the university's offer of admission.**

**(d) The board of trustees shall:**

**(1) set the tuition rates and mandatory fees for the university; and**

**(2) notify the budget committee of the tuition rates and mandatory fees;**

**for the following academic year before December 1 of each year.**

**(e) The general assembly recommends that the board of trustees conduct at least one (1) public hearing before setting the tuition rates and mandatory fees for the university each year. If a public hearing is conducted, at least two (2) members of the board of trustees must be present at the hearing.**

**(f) Notwithstanding subsection (d), not later than sixty (60) days after the enactment of the biennial budget bill for state educational institutions, the board of trustees may reset tuition rates and mandatory fees for incoming freshman students. However, an individual who has been offered admission to the university and has officially notified the university of the individual's acceptance of the offer of admission before the board of trustees resets tuition rates and mandatory fees under this subsection shall be charged:**

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- 1           **(1) the tuition rates and mandatory fees in effect at the time**  
 2           **of the individual's acceptance of the university's offer, if the**  
 3           **reset tuition rate and mandatory fees are higher than those in**  
 4           **effect at the time of the individual's acceptance; or**  
 5           **(2) the reset tuition rate and mandatory fees, if the reset**  
 6           **tuition rates and mandatory fees are lower than those in effect**  
 7           **at the time of the individual's acceptance.**

8           SECTION 7. IC 20-12-57.5-11 IS AMENDED TO READ AS  
 9           FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 11. ~~(Board: Body~~  
 10          ~~Corporate; Powers)~~ **(a)** The board of trustees shall constitute a  
 11          perpetual body corporate with power to do the following:

- 12          ~~(a)~~ **(1)** Manage, control and operate Ball State University.  
 13          ~~(b)~~ **(2)** Sue and be sued.  
 14          ~~(c)~~ **(3)** Let contracts.  
 15          ~~(d)~~ **(4)** Borrow money and issue bonds as authorized by the Indiana  
 16          General Assembly.  
 17          ~~(e)~~ **(5)** Prescribe conditions for admission.  
 18          ~~(f)~~ **(6)** Grant degrees and issue diplomas or certificates.  
 19          ~~(g)~~ **(7)** Fix laboratory, contingent and other fees and charges.  
 20          ~~(h)~~ **(8)** Set fines and penalties.  
 21          ~~(i)~~ **(9)** Define the duties and provide compensation for faculty and  
 22          staff of the university including authority to establish fringe benefit  
 23          programs including retirement benefits which may be supplemental  
 24          to, or in lieu of, state retirement programs for teachers or other  
 25          public employees as authorized by law.  
 26          ~~(j)~~ **(10)** Receive and administer all donations, bequests, grants,  
 27          funds and property which are given to or provided for the  
 28          university.  
 29          ~~(k)~~ **(11)** Promulgate rules and regulations pursuant to this chapter.  
 30          ~~(l)~~ **(12)** Exercise all powers, rights, privileges and duties conferred  
 31          upon the board by other laws of the General Assembly. ~~and~~  
 32          ~~(m) to possess~~ **The board of trustees possesses** all other power in  
 33          order to efficiently operate the affairs of Ball State University.

34          **(b) Beginning with the 2005-2006 academic year, in setting**  
 35          **tuition rates and mandatory fees, the board of trustees must**  
 36          **provide that the tuition and mandatory fees charged a full-time**  
 37          **undergraduate student who is a resident of Indiana may be**  
 38          **increased by not more than:**

- 39               **(1) a percentage equal to the higher education cost of living**  
 40               **index; or**  
 41               **(2) four percent (4%);**  
 42          **whichever is greater, each year for the four (4) consecutive**

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1 academic years following the academic year in which the student  
2 officially accepts the university's offer of admission.

3 (c) The board of trustees shall:

4 (1) set the tuition rates and mandatory fees for the university;  
5 and

6 (2) notify the budget committee of the tuition rates and  
7 mandatory fees;

8 for the following academic year before December 1 of each year.

9 (d) The general assembly recommends that the board of trustees  
10 conduct at least one (1) public hearing before setting the tuition  
11 rates and mandatory fees for the university each year. If a public  
12 hearing is conducted, at least two (2) members of the board of  
13 trustees must be present at the hearing.

14 (e) Notwithstanding subsection (c), not later than sixty (60) days  
15 after the enactment of the biennial budget bill for state educational  
16 institutions, the board of trustees may reset tuition rates and  
17 mandatory fees for incoming freshman students. However, an  
18 individual who has been offered admission to the university and  
19 has officially notified the university of the individual's acceptance  
20 of the offer of admission before the board of trustees resets tuition  
21 rates and mandatory fees under this subsection shall be charged:

22 (1) the tuition rates and mandatory fees in effect at the time of  
23 the individual's acceptance of the university's offer, if the reset  
24 tuition rate and mandatory fees are higher than those in effect  
25 at the time of the individual's acceptance; or

26 (2) the reset tuition rate and mandatory fees, if the reset tuition  
27 rates and mandatory fees are lower than those in effect at the  
28 time of the individual's acceptance.

29 SECTION 8. IC 20-12-61-13 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 13. (a) In addition to  
31 the duties described in section 9 of this chapter, the state board may do  
32 the following:

33 (1) Hold, encumber, control, acquire by donation or purchase,  
34 construct, own, lease, use, and sell real and personal property as  
35 is necessary for the conduct of its program of operation, on  
36 whatever terms and for whatever consideration may be  
37 appropriate.

38 (2) Accept gifts, grants, bequests, and devises absolutely and in  
39 trust for support of the college or its programs.

40 (3) Develop and adopt the appropriate programs to be offered.

41 (4) Develop a statewide salary structure and classification system,  
42 including provisions for employee group insurance, employee

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benefits, and personnel policies.

(5) Employ the chief administrator of a regional institute.

(6) Authorize the chief administrator of a regional institute to employ the necessary personnel for the regional institute, determine their qualifications, and fix their compensation in accordance with statewide policies established under subdivision (4).

(7) Grant appropriate certificates of achievement and associate degrees to students who complete prescribed and authorized courses or series of courses.

(8) Prescribe rules for the effective operation of a statewide program and exercise other powers that are necessary for the efficient management of the program.

(9) **Subject to subsection (d)**, establish a schedule of fees or charges for students and provide scholarships and remission of fees in proper cases.

(10) Authorize, approve, enter into, ratify, or confirm any agreement relating to a statewide program or a regional institute with the United States government, acting through any agency of the government designated or created to aid in the financing of such projects, or with any person, organization, or agency offering contracts or grants-in-aid financing the educational facilities or the operation of the facilities and programs.

(11) Establish written policies for the investment of the funds of Ivy Tech in the manner provided by IC 30-4-3-3.

(b) Before taking any action under subsection (a)(1), (a)(3), (a)(5), or (a)(8) that would substantially affect a regional institute, the state board shall request recommendations concerning the proposed action from the regional board for that region.

(c) Upon request of a regional board that has submitted recommendations under subsection (b) or section 12(a)(7) of this chapter, the state board shall conduct public hearings concerning the recommendations at a regular or special meeting of the state board.

**(d) Beginning with the 2005-2006 academic year, in setting tuition rates and mandatory fees, the state board must provide that the tuition and mandatory fees charged a full-time student who is a resident of Indiana may be increased by not more than:**

**(1) a percentage equal to the higher education cost of living index; or**

**(2) four percent (4%);**

**whichever is greater, each year for the two (2) consecutive academic years following the academic year in which the student**

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officially accepts the college's offer of admission.

(e) The state board shall:

- (1) set the tuition rates and mandatory fees for the college;  
and
- (2) notify the budget committee of the tuition rates and mandatory fees;

for the following academic year before December 1 of each year.

(f) The general assembly recommends that the state board conduct at least one (1) public hearing before setting the tuition rates and mandatory fees for the college each year. If a public hearing is conducted, at least two (2) members of the state board must be present at the hearing.

(g) Notwithstanding subsection (e), not later than sixty (60) days after the enactment of the biennial budget bill for state educational institutions, the state board may reset tuition rates and mandatory fees for incoming freshman students. However, an individual who has been offered admission to the college and has officially notified the college of the individual's acceptance of the offer of admission before the state board resets tuition rates and mandatory fees under this subsection shall be charged:

- (1) the tuition rates and mandatory fees in effect at the time of the individual's acceptance of the college's offer, if the reset tuition rate and mandatory fees are higher than those in effect at the time of the individual's acceptance; or
- (2) the reset tuition rate and mandatory fees, if the reset tuition rates and mandatory fees are lower than those in effect at the time of the individual's acceptance.

SECTION 9. IC 20-12-64-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 5. (a) The university may do the following:

- (1) Sue and be sued.
- (2) Let contracts.
- (3) Enter into cooperative agreements with other educational institutions, including agreements leading to the use of the university as a host site for an educational program administered by another college or university.
- (4) Prescribe conditions for admission.
- (5) Grant degrees and issue diplomas or certificates signifying that a course of postsecondary study has been completed or a degree has been conferred.
- (6) Fix laboratory, contingent, and other fees and charges.
- (7) Set fines and other sanctions for noncompliance with a

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1 university contract or rule.

2 (8) Employ a faculty and staff for the university, define the duties  
3 of the faculty and staff, and provide compensation for the faculty  
4 and staff, including a program of fringe benefits and a program of  
5 retirement benefits that may supplement or supersede the state  
6 retirement programs established by statute for teachers or other  
7 public employees.

8 (9) Receive, administer, and dispose of all donations, bequests,  
9 grants, funds, and other property that may be given to the  
10 university or otherwise acquired by the university.

11 (10) Engage in research or public service that furthers an  
12 educational purpose.

13 (11) Exercise all powers, rights, privileges, and duties conferred  
14 upon the university or the board by any statute enacted by the  
15 general assembly.

16 (12) Adopt rules to carry out this chapter.

17 (13) Exercise all other powers necessary to conduct efficiently the  
18 affairs of the university.

19 **(b) Beginning with the 2005-2006 academic year, in setting**  
20 **tuition rates and mandatory fees, the university must provide that**  
21 **the tuition and mandatory fees charged a full-time undergraduate**  
22 **student who is a resident of Indiana may be increased by not more**  
23 **than:**

24 **(1) a percentage equal to the higher education cost of living**  
25 **index; or**

26 **(2) four percent (4%);**

27 **whichever is greater, each year for the four (4) consecutive**  
28 **academic years following the academic year in which the student**  
29 **officially accepts the university's offer of admission.**

30 **(c) The university shall:**

31 **(1) set the tuition rates and mandatory fees for the university;**  
32 **and**

33 **(2) notify the budget committee of the tuition rates and**  
34 **mandatory fees;**

35 **for the following academic year before December 1 of each year.**

36 **(d) The general assembly recommends that the university**  
37 **conduct at least one (1) public hearing before setting the tuition**  
38 **rates and mandatory fees for the university each year. If a public**  
39 **hearing is conducted, at least two (2) members of the university's**  
40 **board must be present at the hearing.**

41 **(e) Notwithstanding subsection (c), not later than sixty (60) days**  
42 **after the enactment of the biennial budget bill for state educational**

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institutions, the university may reset tuition rates and mandatory fees for incoming freshman students. However, an individual who has been offered admission to the university and has officially notified the university of the individual's acceptance of the offer of admission before the university resets tuition rates and mandatory fees under this subsection shall be charged:

- (1) the tuition rates and mandatory fees in effect at the time of the individual's acceptance of the university's offer, if the reset tuition rate and mandatory fees are higher than those in effect at the time of the individual's acceptance; or
- (2) the reset tuition rate and mandatory fees, if the reset tuition rates and mandatory fees are lower than those in effect at the time of the individual's acceptance.

SECTION 10. IC 23-13-18-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 8. (a) It shall be the duty of the said trustees, and they are hereby authorized and required as soon as may be, to:

- (1) erect, purchase or hire, as they may deem most expedient, for carrying the said university into effect, suitable buildings for the said university;
- (2) make ordinances for the government and discipline thereof;
- (3) establish plans of education, which plans shall embrace each and every of the languages, sciences and branches of learning directed to be taught in the said university;
- (4) regulate the admission of students and pupils into the same;
- (5) elect and appoint persons of suitable learning and talents to be president and professors of the said university and agree with them for their salaries and emoluments;
- (6) visit and inspect the said university;
- (7) examine into the state of education and discipline therein;
- (8) make a yearly report thereof to the legislature; and
- (9) generally to do all lawful matters and things whatsoever, necessary for the maintaining and supporting the institution and for the more extensive communication of useful knowledge.

(b) Beginning with the 2005-2006 academic year, in setting tuition rates and mandatory fees, the board of trustees must provide that the tuition and mandatory fees charged a full-time student who is a resident of Indiana may be increased by not more than:

- (1) a percentage equal to the higher education cost of living index; or
- (2) four percent (4%);

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1 whichever is greater, each year for the two (2) consecutive  
 2 academic years following the academic year in which the student  
 3 officially accepts the university's offer of admission.

4 (c) The board of trustees shall:

5 (1) set the tuition rates and mandatory fees for the university;  
 6 and

7 (2) notify the budget committee of the tuition rates and  
 8 mandatory fees;

9 for the following academic year before December 1 of each year.

10 (d) The general assembly recommends that the board of trustees  
 11 conduct at least one (1) public hearing before setting the tuition  
 12 rates and mandatory fees for the university each year. If a public  
 13 hearing is conducted, at least two (2) members of the board of  
 14 trustees must be present at the hearing.

15 (e) Notwithstanding subsection (c), not later than sixty (60) days  
 16 after the enactment of the biennial budget bill for state educational  
 17 institutions, the board of trustees may reset tuition rates and  
 18 mandatory fees for incoming freshman students. However, an  
 19 individual who has been offered admission to the university and  
 20 has officially notified the university of the individual's acceptance  
 21 of the offer of admission before the board of trustees resets tuition  
 22 rates and mandatory fees under this subsection shall be charged:

23 (1) the tuition rates and mandatory fees in effect at the time  
 24 of the individual's acceptance of the university's offer, if the  
 25 reset tuition rate and mandatory fees are higher than those in  
 26 effect at the time of the individual's acceptance; or

27 (2) the reset tuition rate and mandatory fees, if the reset  
 28 tuition rates and mandatory fees are lower than those in effect  
 29 at the time of the individual's acceptance.

30 SECTION 11. [EFFECTIVE JULY 1, 2004] (a) As used in this  
 31 SECTION, "state educational institution" has the meaning set  
 32 forth in IC 20-12-0.5-1.

33 (b) A state educational institution shall notify the state budget  
 34 committee of the state educational institution's tuition rate and  
 35 mandatory fees for the 2005-2006 academic year before December  
 36 1, 2004.

37 (c) This SECTION expires December 31, 2004.

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SENATE MOTION

Madam President: I move that Senator Miller be added as second author of Senate Bill 262.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 262, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 11, after "tuition" insert "**and fees**".

Page 2, line 16, after "rates" insert "**and mandatory fees (as defined by the commission for higher education)**".

Page 2, line 17, after "tuition" insert "**and mandatory fees**".

Page 2, line 23, after "rates" insert "**and mandatory fees**".

Page 2, line 24, delete "rates;" and insert "**rates and mandatory fees;**".

Page 3, line 4, after "tuition" insert "**and fees**".

Page 3, line 9, after "rates" insert "**and mandatory fees (as defined by the commission for higher education)**".

Page 3, line 10, after "tuition" insert "**and mandatory fees**".

Page 3, line 16, after "rates" insert "**and mandatory fees**".

Page 3, line 17, delete "rates;" and insert "**rates and mandatory fees;**".

Page 3, line 36, delete "rates," and insert "**rates and mandatory fees (as defined by the commission for higher education),**".

Page 3, line 36, after "the tuition" insert "**and mandatory fees**".

Page 3, line 42, after "rates" insert "**and mandatory fees**".

Page 4, line 1, delete "rates;" and insert "**rates and mandatory fees;**".

Page 4, line 30, delete "rates," and insert "**rates and mandatory fees (as defined by the commission for higher education),**".

Page 4, line 30, after "the tuition" insert "**and mandatory fees**".

Page 4, line 36, after "rates" insert "**and mandatory fees**".

Page 4, line 37, delete "rates;" and insert "**rates and mandatory fees;**".

Page 6, line 2, delete "rates," and insert "**rates and mandatory fees (as defined by the commission for higher education),**".

Page 6, line 2, after "the tuition" insert "**and mandatory fees**".

Page 6, line 7, after "rates" insert "**and mandatory fees**".

Page 6, line 8, delete "rates;" and insert "**rates and mandatory fees;**".

Page 7, line 2, delete "rates," and insert "**rates and mandatory fees (as defined by the commission for higher education),**".

Page 7, line 2, after "the tuition" insert "**and mandatory fees**".

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Page 7, line 8, after "rates" insert "**and mandatory fees**".

Page 7, line 9, delete "rates;" and insert "**rates and mandatory fees;**".

Page 7, line 33, delete "rates," and insert "**rates and mandatory fees (as defined by the commission for higher education),**".

Page 7, line 33, after "the tuition" insert "**and mandatory fees**".

Page 7, line 38, after "rates" insert "**and mandatory fees**".

Page 7, line 39, delete "rates;" and insert "**rates and mandatory fees;**".

and when so amended that said bill do pass.

(Reference is to SB 262 as introduced.)

KENLEY, Chairperson

Committee Vote: Yeas 6, Nays 4.

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SENATE MOTION

Madam President: I move that Senator Miller be removed as second author of Senate Bill 262.

MILLER

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SENATE MOTION

Madam President: I move that Senator Skinner be added as second author of Senate Bill 262.

KENLEY

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SENATE MOTION

Madam President: I move that Senators Jackman and Miller be added as coauthors of Senate Bill 262.

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SENATE MOTION

Madam President: I move that Senator Drozda be added as coauthor of Senate Bill 262.

KENLEY

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SENATE MOTION

Madam President: I move that Senate Bill 262 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-12-0.5-8, AS AMENDED BY P.L.24-2003, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 8. The commission shall have the following powers and duties:

**SB 262—LS 6886/DI 71+**



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(1) To develop, continually keep current, and implement a long range plan for postsecondary education. In developing this plan, the commission shall take into account the plans and interests of the state private institutions, anticipated enrollments in state postsecondary institutions, financial needs of students and other factors pertinent to the quality of educational opportunity available to the citizens of Indiana. The plan shall define the educational missions and the projected enrollments of the various state educational institutions.

(2) To consult with and make recommendations to the commission on vocational and technical education within the department of workforce development on all postsecondary vocational education programs. The commission shall biennially prepare a plan for implementing postsecondary vocational education programming after considering the long range state plan developed under IC 20-1-18.3-10. The commission shall submit this plan to the commission on vocational and technical education within the department of workforce development for its review and recommendations, and shall specifically report on how the plan addresses preparation for employment.

(3) To make recommendations to the general assembly and the governor concerning the long range plan, and prepare to submit drafts and proposed legislation needed to implement the plan. The commission may also make recommendations to the general assembly concerning the plan for postsecondary vocational education under subdivision (2).

(4) To review the legislative request budgets of all state educational institutions preceding each session of the general assembly and to make recommendations concerning appropriations and bonding authorizations to state educational institutions including public funds for financial aid to students by any state agency. The commission may review all programs of any state educational institution, regardless of the source of funding, and may make recommendations to the governing board of the institution, the governor, and the general assembly concerning the funding and the disposition of the programs. In making this review, the commission may request and shall receive, in such form as may reasonably be required, from all state educational institutions, complete information concerning all receipts and all expenditures.

(5) To submit to the commission on vocational and technical education within the department of workforce development for its

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review under IC 20-1-18.3-15 the legislative budget requests prepared by state educational institutions for state and federal funds for vocational education. These budget requests shall be prepared upon request of the budget director, shall cover the period determined by the budget director, and shall be made available to the commission within the department of workforce development before review by the budget committee.

(6) To make, or cause to be made, studies of the needs for various types of postsecondary education and to make recommendations to the general assembly and the governor concerning the organization of these programs. The commission shall make or cause to be made studies of the needs for various types of postsecondary vocational education and shall submit to the commission on vocational and technical education within the department of workforce development its findings in this regard.

(7) To approve or disapprove the establishment of any new branches, regional or other campuses, or extension centers or of any new college or school, or the offering on any campus of any additional associate, baccalaureate, or graduate degree, or of any additional program of two (2) semesters, or their equivalent in duration, leading to a certificate or other indication of accomplishment. After March 29, 1971, no state educational institution shall establish any new branch, regional campus, or extension center or any new or additional academic college, or school, or offer any new degree or certificate as defined in this subdivision without the approval of the commission or without specific authorization by the general assembly. Any state educational institution may enter into contractual agreements with governmental units or with business and industry for specific programs to be wholly supported by the governmental unit or business and industry without the approval of the commission.

(8) If so designated by the governor or the general assembly, to serve as the agency for the purposes of receiving or administering funds available for postsecondary education programs, projects, and facilities for any of the acts of the United States Congress where the acts of Congress require the state to designate such an agency or commission. However, this subdivision does not provide for the designation of the commission by the governor as the recipient of funds which may be provided by acts of the United States Congress, received by an agency, a board, or a commission designated by the general assembly.

(9) To designate and employ an executive officer and necessary

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employees, to designate their titles, and to fix the compensation in terms of the employment.

(10) To appoint appropriate advisory committees composed of representatives of state educational institutions, representatives of private colleges and universities, students, faculty, and other qualified persons.

(11) To employ all powers properly incident to or connected with any of the foregoing purposes, powers, or duties, including the power to adopt rules.

(12) To develop a definition for and report biennially to the:

(A) general assembly;

(B) governor; and

(C) commission on vocational and technical education within the department of workforce development;

on attrition and persistence rates by students enrolled in state vocational education.

(13) To submit a report to the legislative council not later than August 30 of each year on the status of the transfer of courses and programs between state educational institutions. The report must include any changes made during the immediately preceding academic year.

(14) To direct the activities of the committee, including the activities set forth in subdivisions (15) and (16).

(15) To develop through the committee statewide transfer of credit agreements for courses that are most frequently taken by undergraduates.

(16) To develop through the committee statewide agreements under which associate of arts and associate of science programs articulate fully with related baccalaureate degree programs.

(17) To publicize by all appropriate means, including an Internet web site, a master list of course transfer of credit agreements and program articulation agreements.

**(18) For purposes of assisting state educational institutions in setting tuition rates and mandatory fees only, to perform the following functions:**

**(A) Annually determine the higher education cost of living index, using information developed by the Bureau of Labor Statistics of the United States Department of Labor.**

**(B) Determine when a student is considered to be a full-time student.**

**(C) Determine which fees are mandatory fees; however, mandatory fees may not include fees that:**

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- (i) are recommended and supported by students for the funding of student activities and services; or
- (ii) provide additional student benefits."

Page 2, delete lines 18 through 23 and insert "fees under section 2 of this chapter, the board of trustees must provide that the tuition and mandatory fees charged a full-time undergraduate student who is a resident of Indiana may be increased by not more than:

- (1) a percentage equal to the higher education cost of living index; or
- (2) four percent (4%);

whichever is greater, each year for the four (4) consecutive academic years following the academic year in which the student officially accepts the university's offer of admission."

Page 2, between lines 29 and 30, begin a new paragraph and insert:

"(c) The general assembly recommends that the board of trustees conduct at least one (1) public hearing before setting the tuition rates and mandatory fees for the university each year. If a public hearing is conducted, at least two (2) members of the board of trustees must be present at the hearing.

(d) Notwithstanding subsection (b), not later than sixty (60) days after the enactment of the biennial budget bill for state educational institutions, the board of trustees may reset tuition rates and mandatory fees for incoming freshman students. However, an individual who has been offered admission to the university and has officially notified the university of the individual's acceptance of the offer of admission before the board of trustees resets tuition rates and mandatory fees under this subsection shall be charged:

- (1) the tuition rates and mandatory fees in effect at the time of the individual's acceptance of the university's offer, if the reset tuition rate and mandatory fees are higher than those in effect at the time of the individual's acceptance; or
- (2) the reset tuition rate and mandatory fees, if the reset tuition rates and mandatory fees are lower than those in effect at the time of the individual's acceptance."

Page 3, delete lines 14 through 19 and insert "fees under section 4 of this chapter, the board of trustees must provide that the tuition and mandatory fees charged a full-time undergraduate student who is a resident of Indiana may be increased by not more than:

- (1) a percentage equal to the higher education cost of living index; or
- (2) four percent (4%);

whichever is greater, each year for the four (4) consecutive

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academic years following the academic year in which the student officially accepts the university's offer of admission."

Page 3, between lines 25 and 26, begin a new paragraph and insert:

**"(c) The general assembly recommends that the board of trustees conduct at least one (1) public hearing before setting the tuition rates and mandatory fees for the university each year. If a public hearing is conducted, at least two (2) members of the board of trustees must be present at the hearing.**

**(d) Notwithstanding subsection (b), not later than sixty (60) days after the enactment of the biennial budget bill for state educational institutions, the board of trustees may reset tuition rates and mandatory fees for incoming freshman students. However, an individual who has been offered admission to the university and has officially notified the university of the individual's acceptance of the offer of admission before the board of trustees resets tuition rates and mandatory fees under this subsection shall be charged:**

- (1) the tuition rates and mandatory fees in effect at the time of the individual's acceptance of the university's offer, if the reset tuition rate and mandatory fees are higher than those in effect at the time of the individual's acceptance; or**
- (2) the reset tuition rate and mandatory fees, if the reset tuition rates and mandatory fees are lower than those in effect at the time of the individual's acceptance."**

Page 4, line 1, delete "fees (as defined by the commission for" and insert "fees, the board of trustees must provide that the tuition and mandatory fees charged a full-time undergraduate student who is a resident of Indiana may be increased by not more than:

- (1) a percentage equal to the higher education cost of living index; or**
- (2) four percent (4%);**

**whichever is greater, each year for the four (4) consecutive academic years following the academic year in which the student officially accepts the university's offer of admission."**

Page 4, delete lines 2 through 6.

Page 4, between lines 12 and 13, begin a new paragraph and insert:

**"(e) The general assembly recommends that the board of trustees conduct at least one (1) public hearing before setting the tuition rates and mandatory fees for the university each year. If a public hearing is conducted, at least two (2) members of the board of trustees must be present at the hearing.**

**(f) Notwithstanding subsection (d), not later than sixty (60) days after the enactment of the biennial budget bill for state educational**

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institutions, the board of trustees may reset tuition rates and mandatory fees for incoming freshman students. However, an individual who has been offered admission to the university and has officially notified the university of the individual's acceptance of the offer of admission before the board of trustees resets tuition rates and mandatory fees under this subsection shall be charged:

- (1) the tuition rates and mandatory fees in effect at the time of the individual's acceptance of the university's offer, if the reset tuition rate and mandatory fees are higher than those in effect at the time of the individual's acceptance; or
- (2) the reset tuition rate and mandatory fees, if the reset tuition rates and mandatory fees are lower than those in effect at the time of the individual's acceptance."

Page 4, line 40, delete "fees (as defined by the commission for" and insert "fees, the board of trustees must provide that the tuition and mandatory fees charged a full-time undergraduate student who is a resident of Indiana may be increased by not more than:

- (1) a percentage equal to the higher education cost of living index; or
- (2) four percent (4%);

whichever is greater, each year for the four (4) consecutive academic years following the academic year in which the student officially accepts the university's offer of admission."

Page 4, delete lines 41 through 42.

Page 5, delete lines 1 through 3.

Page 5, between lines 9 and 10, begin a new paragraph and insert:

"(d) The general assembly recommends that the board of trustees conduct at least one (1) public hearing before setting the tuition rates and mandatory fees for the university each year. If a public hearing is conducted, at least two (2) members of the board of trustees must be present at the hearing.

(e) Notwithstanding subsection (c), not later than sixty (60) days after the enactment of the biennial budget bill for state educational institutions, the board of trustees may reset tuition rates and mandatory fees for incoming freshman students. However, an individual who has been offered admission to the university and has officially notified the university of the individual's acceptance of the offer of admission before the board of trustees resets tuition rates and mandatory fees under this subsection shall be charged:

- (1) the tuition rates and mandatory fees in effect at the time of the individual's acceptance of the university's offer, if the reset tuition rate and mandatory fees are higher than those in

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effect at the time of the individual's acceptance; or  
 (2) the reset tuition rate and mandatory fees, if the reset tuition rates and mandatory fees are lower than those in effect at the time of the individual's acceptance."

Page 6, line 15, delete "fees (as defined by the commission for" and insert "fees, the state board must provide that the tuition and mandatory fees charged a full-time student who is a resident of Indiana may be increased by not more than:

(1) a percentage equal to the higher education cost of living index; or

(2) four percent (4%);

whichever is greater, each year for the two (2) consecutive academic years following the academic year in which the student officially accepts the college's offer of admission."

Page 6, delete lines 16 through 20.

Page 6, between lines 25 and 26, begin a new paragraph and insert:

"(f) The general assembly recommends that the state board conduct at least one (1) public hearing before setting the tuition rates and mandatory fees for the college each year. If a public hearing is conducted, at least two (2) members of the state board must be present at the hearing.

(g) Notwithstanding subsection (e), not later than sixty (60) days after the enactment of the biennial budget bill for state educational institutions, the state board may reset tuition rates and mandatory fees for incoming freshman students. However, an individual who has been offered admission to the college and has officially notified the college of the individual's acceptance of the offer of admission before the state board resets tuition rates and mandatory fees under this subsection shall be charged:

(1) the tuition rates and mandatory fees in effect at the time of the individual's acceptance of the college's offer, if the reset tuition rate and mandatory fees are higher than those in effect at the time of the individual's acceptance; or

(2) the reset tuition rate and mandatory fees, if the reset tuition rates and mandatory fees are lower than those in effect at the time of the individual's acceptance."

Page 7, line 18, delete "fees (as defined by the commission for" and insert "fees, the university must provide that the tuition and mandatory fees charged a full-time undergraduate student who is a resident of Indiana may be increased by not more than:

(1) a percentage equal to the higher education cost of living index; or

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**(2) four percent (4%);**  
**whichever is greater, each year for the four (4) consecutive academic years following the academic year in which the student officially accepts the university's offer of admission."**

Page 7, delete lines 19 through 23.

Page 7, between lines 29 and 30, begin a new paragraph and insert:

**"(d) The general assembly recommends that the university conduct at least one (1) public hearing before setting the tuition rates and mandatory fees for the university each year. If a public hearing is conducted, at least two (2) members of the university's board must be present at the hearing.**

**(e) Notwithstanding subsection (c), not later than sixty (60) days after the enactment of the biennial budget bill for state educational institutions, the university may reset tuition rates and mandatory fees for incoming freshman students. However, an individual who has been offered admission to the university and has officially notified the university of the individual's acceptance of the offer of admission before the university resets tuition rates and mandatory fees under this subsection shall be charged:**

- (1) the tuition rates and mandatory fees in effect at the time of the individual's acceptance of the university's offer, if the reset tuition rate and mandatory fees are higher than those in effect at the time of the individual's acceptance; or**
- (2) the reset tuition rate and mandatory fees, if the reset tuition rates and mandatory fees are lower than those in effect at the time of the individual's acceptance."**

Page 8, line 10, delete "fees (as defined by the commission for" and insert **"fees, the board of trustees must provide that the tuition and mandatory fees charged a full-time student who is a resident of Indiana may be increased by not more than:**

- (1) a percentage equal to the higher education cost of living index; or**
- (2) four percent (4%);**

**whichever is greater, each year for the two (2) consecutive academic years following the academic year in which the student officially accepts the university's offer of admission."**

Page 8, delete lines 11 through 15.

Page 8, after line 21, begin a new paragraph and insert:

**"(d) The general assembly recommends that the board of trustees conduct at least one (1) public hearing before setting the tuition rates and mandatory fees for the university each year. If a public hearing is conducted, at least two (2) members of the board**

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of trustees must be present at the hearing.

(e) Notwithstanding subsection (c), not later than sixty (60) days after the enactment of the biennial budget bill for state educational institutions, the board of trustees may reset tuition rates and mandatory fees for incoming freshman students. However, an individual who has been offered admission to the university and has officially notified the university of the individual's acceptance of the offer of admission before the board of trustees resets tuition rates and mandatory fees under this subsection shall be charged:

- (1) the tuition rates and mandatory fees in effect at the time of the individual's acceptance of the university's offer, if the reset tuition rate and mandatory fees are higher than those in effect at the time of the individual's acceptance; or
- (2) the reset tuition rate and mandatory fees, if the reset tuition rates and mandatory fees are lower than those in effect at the time of the individual's acceptance.

SECTION 11. [EFFECTIVE JULY 1, 2004] (a) As used in this SECTION, "state educational institution" has the meaning set forth in IC 20-12-0.5-1.

(b) A state educational institution shall notify the state budget committee of the state educational institution's tuition rate and mandatory fees for the 2005-2006 academic year before December 1, 2004.

(c) This SECTION expires December 31, 2004."

Renumber all SECTIONS consecutively.

(Reference is to SB 262 as printed January 16, 2004.)

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